

PHILLIP A. TALBERT
United States Attorney
KATRINA BROWNSON
KAREN ESCOBAR
Assistant United States Attorneys
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS EDUARDO SANCHEZ-AZPEITIA,

Defendant.

CASE NO. 1:23-CR-00161-JLT-BAM

STIPULATION AND ORDER TO VACATE
STATUS CONFERENCE, SET CHANGE OF PLEA
HEARING, EXCLUSION OF TIME:

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on October 18, 2023.
2. By this stipulation, defendant now moves to vacate the status conference and set the case for a change of plea on October 23, 2023.
3. Time was previously excluded through October 18, 2023. Additionally, the parties stipulate and request that the Court find the following:
 - a) The government asserts that discovery has been provided to counsel. The government is aware of its ongoing discovery obligations.

b) The parties have reached a plea agreement.

c) The parties have requested the earliest possible date from the Court and have consulted regarding defense counsel's availability, and for purposes of continuity of counsel and to finalize discussions with the defendant in preparation for a change of plea, counsel for the defendant requests the Court vacate the October 18, 2023 status conference and set the change of plea date for October 23, 2023.

d) The government does not object to the date requested.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 18, 2023 to October 23, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 12, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ KATRINA BROWNSON
KATRINA BROWNSON
Assistant United States Attorney

1
2 Dated: October 12, 2023

/s/ GRIFFIN ESTES
GRIFFIN ESTES
Counsel for Defendant

3
4
5
6 **ORDER**

7 IT IS SO ORDERED.

8
9 DATED: 10/13/2023

Sheila K. Oberto
THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE